

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE UNITED STATES OF AMERICA
ex rel., FOX RX, INC.,

Plaintiffs,

v.

OMNICARE, INC.,
NEIGHBORCARE, INC.,
PHARMERICA CORP., and
MHA LONG TERM CARE NETWORK,

Defendants.

Civil Action No.:
1:12-CIV-00275-DLC

**DECLARATION OF DANIEL S. RUZUMNA IN SUPPORT OF MANAGED HEALTH
CARE ASSOCIATES LONG TERM CARE NETWORK'S
MOTION TO DISMISS THE SECOND AMENDED COMPLAINT**

DANIEL S. RUZUMNA hereby declares under penalty of perjury pursuant to 28 U.S.C.
§ 1746 as follows:

1. I am a partner of the law firm of Patterson Belknap Webb & Tyler LLP, attorneys for defendant MHA. I am a member of the bar of the Southern District of New York. I submit this declaration in support of Managed Health Care Associates Long Term Care Network, Inc.'s ("MHA LTC") Motion to Dismiss the Second Amended Complaint. I have knowledge of the facts stated below based on my personal knowledge and on my review of the materials that are referenced and submit this declaration to provide the Court with true and correct copies of the following documents referenced in the accompanying memorandum of law.

2. Attached hereto are true and accurate copies of the following documents:

- Exhibit A.** MHA Long Term Care Network, Inc. Participating Provider Agreement with Medic Pharmacy, dated April 5, 2007 (filed under seal);
- Exhibit B.** Participating Pharmacy Services Agreement between MHA Long-Term Care Network, Inc. and Procure RX, Inc., dated July 28, 2005 (filed under seal);
- Exhibit C.** ProCare Rx Long-Term Care Pharmacy Provider Agreement, dated July 28, 2005;
- Exhibit D.** Letter from Managed Health Care Associates Long Term Care Network, Inc. to MHA Network Member, dated August 15, 2005 (filed under seal).

Dated: New York, New York
February 28, 2014

/s/ Daniel S. Ruzumna

Daniel S. Ruzumna